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Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554

03-123 ✓
98-67

CGB

July 20, 2004

Control No. 0402043-Pol

The Honorable Orrin G. Hatch
United States Senate
104 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Hatch:

Thank you for your letter of June 25, 2004, to Chairman Michael K. Powell of the Federal Communications Commission (Commission or FCC) on behalf of your constituent, Ms. Mary Leishman, expressing her support for Video Relay Service (VRS), a form of telecommunications relay service (TRS). Your correspondence was forwarded to the Commission's Consumer & Governmental Affairs Bureau (the Bureau) for handling.

Ms. Leishman expresses her concern that the quality of VRS is deteriorating, making it difficult for her and her deaf husband to contact people and vice versa. She states that she and people calling her are experiencing long wait times for VRS. She asks the FCC to refrain from making any "further reductions in the VRS interim rate until VRS functional equivalency is achieved, including the completion of the FCC's process for determining the cost recovery methodology, and until VRS is available 24/7 with high quality interpreters and a reasonable average speed of answer." She also asks that the Commission reconsider the reimbursement of video mail.

As an initial matter, I am concerned that Ms. Leishman is experiencing increased wait times for VRS, and suggest that the service's increased popularity may be responsible for the longer wait times she has experienced. VRS has been available only for the past two and a half years, and in the past year alone the use of VRS has increased from 211,529 minutes in June 2003, to 733,040 minutes in May 2004. I also note that Ms. Leishman's letter pre-dates two recently released Orders that make clear that VRS is flourishing, as indicated by the figures noted above, and that we are continuing to raise and address new issues as provision of this important service evolves.

First, on June 30, 2004, the Commission released a Report and Order addressing various issues relating to the provision of VRS. We also issued a Further Notice of Proposed Rulemaking (FNPRM), in CG No. 03-123 (FCC 04-137), seeking comment on various matters concerning, *inter alia*, VRS. Specifically, with regard to VRS, the FNPRM seeks comment on the appropriate cost recovery methodology for VRS; whether the Commission should adopt

jurisdictional separation of costs for VRS so that all VRS costs are not reimbursed from the federal Interstate TRS Fund; whether VRS should become a mandatory form of TRS; whether VRS should be required to be offered 7 days a week, 24 hours a day; and whether a "speed of answer" rule should be applied to the provision of VRS. A copy of the Report & Order, Order on Reconsideration and Further Notice of Proposed Rule Making that was released by the Commission on June 30, 2004, is enclosed

In addition, on June 30, 2004, the Consumer & Governmental Affairs Bureau released an Order approving, subject to adjustments, the per minute compensation rates proposed by the Interstate TRS Fund Administrator, the National Exchange Carrier Association (NECA), for providing all forms of TRS, including VRS, for the July 2004 to June 2005 fund year. A copy of that Order (DA 04-1999) is also enclosed.

With regards to Ms. Leishman's request that the Commission reconsider reimbursement of video mail, we note that a Public Notice (CG Docket 03-123, DA 04-2062) was released on July 9, 2004, seeking comment on whether the provision of Video VRS Mail to deaf and hard of hearing persons is eligible for compensation from the Interstate TRS Fund. After we review all of the comments on this issue, we will address the matter.

To the extent Ms. Leishman has concerns about the provision of VRS, we encourage her to actively participate in proceedings before the Commission to ensure that her opinions are expressed and considered fully. The Commission has available an e-mail service designed to apprise consumers about developments at the Commission, to disseminate consumer information materials prepared by the Commission to a wide audience, and to invite comments from other parties on Commission regulatory proposals. This free service enables consumers to subscribe and receive FCC fact sheets, consumer brochures and alerts, and public notices, among other consumer information. To subscribe, an individual should send an e-mail to subscribe@info.fcc.gov and, in either the subject line or the message insert: "subscribe fcc-consumer-info first name last name" (e.g., "subscribe fcc-consumer-info John Doe").

We also invite Ms. Leishman to visit the Consumer & Governmental Affairs Bureau's Internet web site at <http://www.fcc.gov/cgb> or the Commission's Home Page located at <http://www.fcc.gov>.

The Honorable Orrin G. Hatch

Page 3

We have placed a copy of Ms. Leishman's correspondence in the public record for this proceeding. We appreciate your inquiry. Please do not hesitate to contact us if you have further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Dane Snowden", with a stylized, flowing script.

K. Dane Snowden

Chief

Consumer & Governmental Affairs Bureau

Enclosures

ORRIN G. HATCH
UTAH

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United States Senate

WASHINGTON, DC 20510-4402

June 25, 2004

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The Honorable Michael K. Powell
Chairman
Federal Communication Commission
445 - 12th Street, S.W.
Washington, D.C. 20554

*CGB-Disability
Policy
2043*

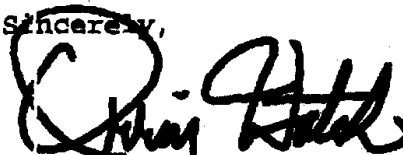
Dear Chairman Powell:

Attached is a copy of correspondence which I received from Ms. Mary Leishman of North Logan, Utah. She expresses a number of concerns regarding the deteriorating quality of Video Relay Services (VRS).

I would appreciate your review of Ms. Leishman's correspondence and your advice and suggestions.

Thank you, in advance, for your time and assistance with this issue. I look forward to hearing from you.

Sincerely,



Orrin G. Hatch
United States Senator

OGH:myr

28 JUN 2004 RCUD

Hatch, Webform (Hatch)

From: deaf_sugarbaby@yahoo.com
Sent: Friday, June 18, 2004 1:20 PM
To: Hatch, Webform (Hatch)
Subject: Hatch Website email

From: Mary Leishman
Email: deaf_sugarbaby@yahoo.com
Phone: 1-866-327-8877
Address:
76 Hampton Place

Logan, Utah 84341

Issue:Budget

Message:

Mary Leishman 76 Hampton Place Logan, UT 84341 June 18, 2004 The Honorable Orrin G. Hatch
United States Senate 104 Hart Senate Office Building Washington, D.C. 20510-4402 Senator Hatch: As
Deaf people, my husband and I were thrilled when Video Relay Services (VRS) were made available to
us. Finally, we thought, a way to call people using our natural language. Finally, we can communicate
with ease with the hearing professionals that we need to communicate with on a daily basis. Imagine
how frustrating it is if you or your child is ill, and you need to call the doctor, but you hesitate or don't
call because you know you are so ill you cannot think clearly enough to communicate what needs to be
communicated (typing in a language that is not yours -English). With VRS I was finally able to call my
doctor when I or my child were sick, and finally be able to understand and express clearly what was
being said about my or my child's symptoms. The quality of VRS has been deteriorating. It has made it
very difficult to contact people and vice versa. People call VRS to contact us and encounter a long wait
then they assume because of this, the service is no good and they end up not contacting us after all.
Please ensure that the FCC makes no further reductions in the VRS interim rate until VRS functional
equivalency is achieved, including the completion of the FCC's process for determining the cost
recovery methodology, and until VRS is available 24/7 with high quality interpreters and a reasonable
average speed of answer. Please also reconsider reimbursement of video mail, as I need a way for
hearing people to leave me a message. Thank you so much for listening to our concerns and responding
to them. Sincerely, Mary Leishman

6/18/2004

MKP
OLA
RDL



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 104 Hart Senate Office Building
 Washington, D.C. 20510
 Telephone: (202) 224-5251
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FACSIMILE TRANSMISSION COVER SHEET

TO: CHAIRMAN MICHAEL POWELL

OFFICE: FCC

FROM: SENATOR ORRIN G. HATCH

DATE: _____ TIME: _____

TELECOPIER NO: 202-418-2801

OFFICE TELEPHONE NO: _____

TOTAL NUMBER OF PAGES: 3
 (INCLUDING COVER SHEET)

COMMENTS : _____

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